

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matter of	)	
	)	
Americom Las Vegas Limited Partnership	)	File No. EB-02-DV-094
	)	
Licensee of FM Radio Station KWNZ	)	NAL/Acct. No. 200332800006
Carson City, Nevada	)	FRN 0003-7662-92
Facility ID # 53706	)	

**NOTICE OF APPARENT LIABILITY FOR FORFEITURE**

**Adopted: November 20, 2002****Released: November 22, 2002**

By the Chief, Enforcement Bureau:

**I. Introduction**

1. In this *Notice of Apparent Liability for Forfeiture* (“NAL”), we find that Americom Las Vegas Limited Partnership (“Americom”), licensee of FM radio station KWNZ, Carson City, Nevada, apparently willfully and repeatedly violated Section 1.1310 of the Commission’s Rules (“Rules”)<sup>1</sup> by failing to comply with radio frequency radiation (“RFR”) maximum permissible exposure limits applicable to facilities, operations, or transmitters. We conclude, pursuant to Section 503(b) of the Communications Act of 1934, as amended (“Act”),<sup>2</sup> that Americom is apparently liable for a forfeiture in the amount of ten thousand dollars (\$10,000).

**II. Background**

2. In 1996, the Commission amended its rules to adopt new guidelines and procedures for evaluating the environmental effects of RFR from FCC regulated facilities, operations or transmitters.<sup>3</sup> The Commission adopted maximum permissible exposure (“MPE”) limits for electric and magnetic field strength and power density for facilities, operations or transmitters operating at frequencies from 300 kHz to 100 GHz.<sup>4</sup> The MPE limits, which are set forth in Section 1.1310 of the Rules, include limits for occupational/controlled (“occupational”) exposure and limits for general population/uncontrolled (“public”) exposure. The occupational exposure limits apply in situations in which persons are exposed as a consequence of their employment provided those persons are fully aware of the potential for exposure and can exercise control over their exposure.<sup>5</sup> The limits for occupational exposure also apply

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<sup>1</sup> 47 C.F.R. § 1.1310.

<sup>2</sup> 47 U.S.C. § 503(b).

<sup>3</sup> *Guidelines for Evaluating the Environmental Effects of Radiofrequency Radiation, Report and Order*, ET Docket No. 93-62, 11 FCC Rcd 15123 (1996), *recon. granted in part, First Memorandum Opinion and Order*, 11 FCC Rcd 17512 (1996), *recon. granted in part, Second Memorandum Opinion and Order and Notice of Proposed Rulemaking*, 12 FCC Rcd 13494 (1997) (“*Guidelines*”).

<sup>4</sup> See 47 C.F.R. § 1.1310, Table 1.

<sup>5</sup> 47 C.F.R. § 1.1310, Note 1 to Table 1.

in situations where an individual is transient through a location where the occupational limits apply, provided that he or she is made aware of the potential for exposure. The more stringent public exposure limits apply in situations in which the general public may be exposed, or in which persons that are exposed as a consequence of their employment may not be fully aware of the potential for exposure or cannot exercise control over their exposure.<sup>6</sup>

3. As of October 15, 1997, any applicant for an initial construction permit, license, or renewal or modification of an existing license was required to demonstrate compliance with the new RFR MPE limits, or file an Environmental Assessment and undergo environmental review by Commission staff.<sup>7</sup> In addition, all existing licensees were required to come into compliance with the new RFR MPE limits by September 1, 2000, or file an Environmental Assessment.<sup>8</sup>

4. Americom is licensed to operate KWNZ on Channel 247 (97.3 MHz) with 87 kilowatts effective radiated power. In the June 1997 renewal application filed for KWNZ, Americom certified that KWNZ was in compliance with the RFR MPE requirements then in effect and that no Environmental Assessment was required.<sup>9</sup> FCC records reflect no subsequent Environmental Assessment filing by Americom for KWNZ.

5. On November 6, 2001, agents from the FCC's San Francisco, California Field Office ("San Francisco Office") conducted a site inspection at the McClellan Peak antenna site near Carson City, Nevada. The McClellan Peak site is on unfenced, publicly accessible property managed by the Bureau of Land Management ("BLM"), located at the junction of three counties, Storey, Washoe, and Lyon Counties, approximately 4 kilometers northeast of Carson City. There are 13 broadcast stations which transmit from the McClellan Peak site. During the November 6, 2001 inspection, the personal RFR monitors worn by the agents began to alarm while in the vicinity of the KWNZ transmitter site. The personal RFR monitors are designed by the manufacturer to begin alarming when RFR exposure levels reach 50 percent of the Commission's occupational exposure limit. The occupational exposure limit is five times greater than the public exposure limit. Thus, the alarming appeared to indicate that there were RFR levels in excess of the MPE limit for the general public in the vicinity of the KWNZ transmitter.

6. The agents subsequently obtained a copy of a May 7, 1997, RFR study conducted by an independent electrical engineering consulting firm on behalf of several broadcast stations at the McClellan Peak site, including KWNZ. This study indicated that spatially averaged areas around the KWNZ site existed that were 46% of the FCC's 1982 RFR MPE limit of 1 mW/cm<sup>2</sup>, or 0.460 mW/cm<sup>2</sup> for the 30-300 MHz band. The FCC's current RFR MPE limit for the 30-300 MHz frequency band is 0.2 mW/cm<sup>2</sup> for the general public.<sup>10</sup> A comparison of the current MPE limit with the RFR measurements

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<sup>6</sup> 47 C.F.R. § 1.1310, Note 2 to Table 1.

<sup>7</sup> *Guidelines, Second Memorandum Opinion and Order and Notice of Proposed Rulemaking*, 12 FCC Rcd at 13538; 47 C.F.R. § 1.1307(b)(4).

<sup>8</sup> *Guidelines, Second Memorandum Opinion and Order and Notice of Proposed Rulemaking*, 12 FCC Rcd at 13540; 47 C.F.R. § 1.1307(b)(5). See also *Public Notice*, Year 2000 Deadline for Compliance with Commission's Regulations Regarding Human Exposure to Radiofrequency Emissions (released Feb. 25, 2000); *Public Notice*, Erratum to February 25, 2000 Public Notice, 15 FCC Rcd 13600 (released April 27, 2000); *Public Notice*, Reminder of September 1, 2000, Deadline for Compliance with Regulations for Human Exposure to Radiofrequency Emissions, 15 FCC Rcd 18900 (released Aug. 24, 2000).

<sup>9</sup> At the time Americom filed the renewal application for radio station KWNZ, the FCC's 1982 RFR MPE limits were still in effect.

<sup>10</sup> 47 C.F.R. § 1.1310, Table 1. The FCC's 1982 RFR MPE limit did not distinguish between controlled environments (involving workers) and uncontrolled environments (involving the general public).

reported in the May 7, 1997, study revealed the possibility that areas around the KWNZ site exceeded the current RFR MPE limit for the general public.

7. On May 1, 2002, the FCC's Denver, Colorado Field Office ("Denver Office") issued a Letter of Inquiry ("LOI") to Americom and 12 other broadcast licensees which transmit from the McClellan Peak site regarding RFR compliance at the site and advising that a site inspection would take place on May 15, 2002.

8. On May 14 and 15, 2002, FCC agents from the Denver and San Francisco Offices conducted measurements in publicly accessible areas throughout the McClellan Peak site. The site was easily accessible to 4-wheel drive vehicles from a public gravel and dirt roadway off Goni Road. Two commercial gravel pits were located along the gravel roadway to the site. An ungated internal dirt road led from the gravel roadway to the site, with multiple branches to reach the various antenna structures. The agents observed that there were trails for off-road 4-wheel drive vehicles and all terrain vehicles ("ATVs") along the gravel roadway and at the site itself. The agents also observed members of the public driving ATVs, ATV tire tracks, campfire rings, beer and wine bottles, and other trash indicative of public use of the BLM site.

9. The measurements taken by the agents indicated that there were RFR fields in publicly accessible areas at ground level that exceeded the FCC's MPE limits for the general public. The agents found spatially averaged RFR fields measuring  $0.284 \text{ mW/cm}^2$ , which exceeds the MPE limits for the general public by 42%, in unfenced areas between the KWNZ transmitter building and the KWNZ antenna tower. On May 15, 2002, at the request of the agents, KWNZ temporarily powered down to enable the agents to determine if there were other significant RFR contributors in the primary 10 square foot area identified as exceeding the limits. While KWNZ was powered down, the RFR fields in this primary area measured only  $0.0115 \text{ mW/cm}^2$  or 5.75% of the RFR MPE limits for the general public. The agents also requested two other broadcasters in the immediate vicinity to power down in turn. While each of the other broadcasters was powered down, the measured RFR fields in the primary area did not change. The agents determined, based on these measurements, that KWNZ was contributing over 94% of the measured RFR field.

10. On June 7, 2002, Americom submitted a response to the May 1, 2002, LOI and the May 15, 2002, on-site investigation. Americom asserted that because the site is remote and not frequently accessed by the public, KWNZ should be held to the less restrictive occupational MPE limit of  $1 \text{ mW/cm}^2$  and that KWNZ is in compliance with the occupational exposure limit. Along with its response, Americom submitted an affidavit from the Storey County Sheriff. The affidavit states in part that:

Although the site is technically accessible to the public, the mountaintop site is remote and the roads leading to it are not easily navigated. My office receives little or no call volume relating to the site and requiring response. My office is aware of no significant foot traffic at the site. In sum, it is my conclusion that the public does not "frequently visit" McClellan Peak. Based on my experience, it is my conclusion that the general public is not likely to visit that site.

Americom further stated that the site has been treated as an occupational environment, and that the site complies with the guidance set forth in the following passage from OET Bulletin 65<sup>11</sup>:

There may be situations where RF levels may exceed the MPE limits for the general

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<sup>11</sup> OET Bulletin 65, "Evaluating Compliance with FCC Guidelines for Human Exposure to Radiofrequency Electromagnetic Fields" (August 1997).

public in remote areas, such as mountain tops, that could conceivably be accessible but are not likely to be visited by the public. In such cases, common sense should dictate how compliance is to be achieved. If the area is properly marked by appropriate warning signs, fencing or the erection of other permanent barriers may not be necessary.

11. Americom also submitted a report of RFR measurements conducted at the McClellan Peak site on May 15, 2002, by an Americom consultant. This report shows that RFR fields in an unfenced area adjacent to the KWNZ tower exceeded the MPE limits for the general public by 18%. Americom stated that out of an abundance of caution, they contracted for this location to be fenced as if it were in an uncontrolled environment.

### III. Discussion

12. Section 503(b) of the Act provides that any person who willfully or repeatedly fails to comply substantially with the terms and conditions of any license, or willfully or repeatedly fails to comply with any of the provisions of the Act or of any rule, regulation or order issued by the Commission thereunder, shall be liable for a forfeiture penalty. The term “willful” as used in Section 503(b) has been interpreted to mean simply that the acts or omissions are committed knowingly.<sup>12</sup> The term “repeated” means the commission or omission of such act more than once or for more than one day.<sup>13</sup>

13. Section 1.1310 of the Rules requires licensees to comply with RFR exposure limits. Table 1 in Section 1.1310 of the FCC’s rules provides that the public RFR MPE limit for a radio station operating on channel 247 (97.3 MHz) is 0.200 mW/cm<sup>2</sup>.

14. Americom certified in the 1997 license renewal application for radio station KWNZ that operation of station KWNZ in Carson City, Nevada, would comply with the FCC’s RFR exposure guidelines and would not require the filing of an Environmental Assessment. At that time, the evidence indicates that KWNZ was in compliance with the FCC’s 1982 RFR MPE limits. However, Americom was required to ensure that by September 1, 2000, KWNZ was in compliance with the more restrictive RFR MPE limits adopted by the Commission in 1996, or file an Environmental Assessment. Based on RFR measurements conducted in May 2002 by FCC agents and by Americom’s consultant, we find that the operation of KWNZ created RFR fields that exceeded the RFR exposure limits for the public in unfenced, publicly accessible areas.

15. Americom asserted in its response to the May 1, 2002, LOI and the May 15, 2002, on-site inspection that the McClellan Peak site is remote. Americom also asserted that it has historically treated the areas at the McClellan Peak site which exceeded the public MPE limits as controlled areas subject to the occupational MPE limits. In support of these assertions, American submitted a statement from the Storey County Sheriff that his office receives little or no call volume relating to the site. However, we find that ample evidence exists that the site was publicly accessible and was in fact used by the public, including agent observations of the public driving ATVs at the site, a publicly accessible, commercially

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<sup>12</sup> Section 312(f)(1) of the Act, 47 U.S.C. § 312(f)(1), which applies to violations for which forfeitures are assessed under Section 503(b) of the Act, provides that “[t]he term ‘willful’, when used with reference to the commission or omission of any act, means the conscious and deliberate commission or omission of such act, irrespective of any intent to violate any provision of this Act ....” See *Southern California Broadcasting Co.*, 6 FCC Rcd 4387 (1991).

<sup>13</sup> Section 312(f)(2) of the Act, 47 U.S.C. § 312(f)(2), which also applies to violations for which forfeitures are assessed under Section 503(b) of the Act, provides that “[t]he term ‘repeated’, when used with reference to the commission or omission of any act, means the commission or omission of such act more than once or, if such commission or omission is continuous, for more than one day.”

used road leading to the site, ungated and unfenced dirt paths to the tower locations, off-road ATV trails, ATV tire tracks, campfire rings, beer and wine bottles, and other trash at the site. We find that this evidence supports a conclusion that the areas were and could reasonably be expected to be used by the public.

16. Licensees bear responsibility to comply with the RFR limits or file an Environmental Assessment, and to restrict access to areas that exceed the RFR limits or to modify the facility and operation so as to bring the station's operation into compliance with the RFR exposure limits prior to public or worker access to the impacted area.<sup>14</sup> No RFR warning signs were found in the immediate vicinity demarking the primary area in which RFR fields exceeded the FCC's public limits. A fence did surround the base of the KWNZ tower, but the fence did not encompass the primary area exceeding the FCC's RFR MPE limits. Therefore, we also find that Americom did not restrict public access to areas where RFR exceeded the public MPE limits.

17. Based on the evidence before us, we find that Americom willfully and repeatedly violated Section 1.1310 of the Rules by exceeding the RFR MPE limits for the general public and failing to adequately take measures to prevent the public from accessing areas that exceeded the RFR exposure limits.

18. The *Commission's Forfeiture Policy Statement and Amendment of Section 1.80(b) of the Rules to Incorporate the Forfeiture Guidelines* ("Forfeiture Policy Statement")<sup>15</sup> does not specify a maximum base forfeiture for violation of the RFR MPE limits described in Section 1.1310.<sup>16</sup> However, the Commission recently determined that an appropriate base forfeiture amount for violation of the RFR MPE limits is \$10,000, noting the public safety nature of the rules.<sup>17</sup>

19. In assessing the monetary forfeiture amount, we must take into account the statutory factors set forth in Section 503(b)(2)(D) of the Act,<sup>18</sup> which include the nature, circumstances, extent, and gravity of the violation(s), and with respect to the violator, the degree of culpability, any history of prior offenses, ability to pay, and other such matters as justice may require. We believe that the seriousness of the safety violation warrants the proposed \$10,000 forfeiture amount. Accordingly, applying the *Forfeiture Policy Statement* and statutory factors to the instant case, we conclude that Americom is apparently liable for a \$10,000 forfeiture.

#### IV. Ordering Clauses

20. Accordingly, IT IS ORDERED THAT, pursuant to Section 503(b) of the Act, and Sections 0.111, 0.311 and 1.80 of the Rules,<sup>19</sup> Americom Las Vegas Limited Partnership, IS hereby

<sup>14</sup> 47 C.F.R. §§ 1.1307(b)(1), 1.1307(b)(5) and 1.1310.

<sup>15</sup> *Forfeiture Policy Statement and Amendment of Section 1.80(b) of the Rules to Incorporate the Forfeiture Guidelines*, 12 FCC Rcd 17087 (1997), *recon denied*, 15 FCC Rcd 303 (1999).

<sup>16</sup> The fact that the *Forfeiture Policy Statement* does not specify a base amount does not indicate that no forfeiture should be imposed. The *Forfeiture Policy Statement* states that "... any omission of a specific rule violation from the ... [forfeiture guidelines] ... should not signal that the Commission considers any unlisted violation as nonexistent or unimportant. *Forfeiture Policy Statement*, 12 FCC Rcd at 17099. The Commission retains the discretion, moreover, to depart from the *Forfeiture Policy Statement* and issue forfeitures on a case-by-case basis, under its general forfeiture authority contained in Section 503 of the Act. *Id.*

<sup>17</sup> *A-O Broadcasting Corporation*, FCC 02-312 (released November 18, 2002).

<sup>18</sup> 47 U.S.C. § 503(b)(2)(D).

<sup>19</sup> 47 C.F.R. §§ 0.111, 0.311 and 1.80.

NOTIFIED of its APPARENT LIABILITY FOR A FORFEITURE in the amount of ten thousand dollars (\$10,000) for willfully and repeatedly violating Section 1.1310 of the Rules.

21. IT IS FURTHER ORDERED THAT, pursuant to Section 1.80 of the Rules, within thirty days of the release date of this NOTICE OF APPARENT LIABILITY, Americom Las Vegas Limited Partnership, SHALL PAY the full amount of the proposed forfeiture or SHALL FILE a written statement seeking reduction or cancellation of the proposed forfeiture.

22. Payment of the forfeiture may be made by mailing a check or similar instrument, payable to the order of the Federal Communications Commission, to the Forfeiture Collection Section, Finance Branch, Federal Communications Commission, P.O. Box 73482, Chicago, Illinois 60673-7482. The payment must include the FCC Registration Number ("FRN") and the NAL/Acct. No. referenced in the caption.

23. The response if any must be mailed to the Federal Communications Commission, Enforcement Bureau, Technical and Public Safety Division, 445 12th Street, S.W., Washington, D.C. 20554 and must include the NAL/Acct. No. referenced in the caption.

24. The Commission will not consider reducing or canceling a forfeiture in response to a claim of inability to pay unless the petitioner submits: (1) federal tax returns for the most recent three-year period; (2) financial statements prepared according to generally accepted accounting practices ("GAAP"); or (3) some other reliable and objective documentation that accurately reflects the petitioner's current financial status. Any claim of inability to pay must specifically identify the basis for the claim by reference to the financial documentation submitted.

25. Requests for payment of the full amount of this Notice of Apparent Liability under an installment plan should be sent to: Chief, Revenue and Receivable Operations Group, 445 12th Street, S.W., Washington, D.C. 20554.<sup>20</sup>

26. Under the Small Business Paperwork Relief Act of 2002, Pub L. No. 107-198, 116 Stat. 729 (June 28, 2002), the FCC is engaged in a two-year tracking process regarding the size of entities involved in forfeitures. If you qualify as a small entity and if you wish to be treated as a small entity for tracking purposes, please so certify to us within thirty (30) days of this NAL, either in your response to the NAL or in a separate filing to be sent to the Federal Communications Commission, Enforcement Bureau, Technical & Public Safety Division. Your certification should indicate whether you, including your parent entity and its subsidiaries, meet one of the definitions set forth in the list provided by the FCC's Office of Communications Business Opportunities ("OCBO") set forth in Attachment A of this Notice of Apparent Liability. This information will be used for tracking purposes only. Your response or failure to respond to this question will have no effect on your rights and responsibilities pursuant to Section 503(b) of the Act. If you have questions regarding any of the information contained in Attachment A, please contact OCBO at (202) 418-0990.

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<sup>20</sup> See 47 C.F.R. § 1.1914.

27. IT IS FURTHER ORDERED THAT a copy of this NOTICE OF APPARENT LIABILITY shall be sent by first class mail and certified mail, return receipt requested, to Americom Las Vegas Limited Partnership, Suite 1880, 1900 Avenue of the Stars, Los Angeles, California 90067.

FEDERAL COMMUNICATIONS COMMISSION

David Solomon  
Chief, Enforcement Bureau

October 2002

## FCC List of Small Entities

As described below, a “small entity” may be a small organization, a small governmental jurisdiction, or a small business.

(1) Small Organization	
Any not-for-profit enterprise that is independently owned and operated and is not dominant in its field.	
(2) Small Governmental Jurisdiction	
Governments of cities, counties, towns, townships, villages, school districts, or special districts, with a population of less than fifty thousand.	
(3) Small Business	
Any business concern that is independently owned and operated and is not dominant in its field, <i>and</i> meets the pertinent size criterion described below.	
Industry Type	Description of Small Business Size Standards
Cable Services or Systems	
Cable Systems	Special Size Standard – Small Cable Company has 400,000 Subscribers Nationwide or Fewer  \$12.5 Million in Annual Receipts or Less
Cable and Other Program Distribution	
Open Video Systems	
Common Carrier Services and Related Entities	
Wireline Carriers and Service providers	1,500 Employees or Fewer
Local Exchange Carriers, Competitive Access Providers, Interexchange Carriers, Operator Service Providers, Payphone Providers, and Resellers	
<b>Note:</b> With the exception of Cable Systems, all size standards are expressed in either millions of dollars or number of employees and are generally the average annual receipts or the average employment of a firm. Directions for calculating average annual receipts and average employment of a firm can be found in 13 C.F.R. §121.104 and 13 C.F.R. § 121.106, respectively.	
International Services	
International Broadcast Stations	\$12.5 Million in Annual Receipts or Less
International Public Fixed Radio (Public and Control Stations)	
Fixed Satellite Transmit/Receive Earth Stations	
Fixed Satellite Very Small Aperture Terminal Systems	
Mobile Satellite Earth Stations	
Radio Determination Satellite Earth Stations	



Geostationary Space Stations	
Non-Geostationary Space Stations	
Direct Broadcast Satellites	
Home Satellite Dish Service	
<b>Mass Media Services</b>	
Television Services	\$12 Million in Annual Receipts or Less
Low Power Television Services and Television Translator Stations	
TV Auxiliary, Special Broadcast and Other Program Distribution Services	
Radio Services	\$6 Million in Annual Receipts or Less
Radio Auxiliary, Special Broadcast and Other Program Distribution Services	
Multipoint Distribution Service	Auction Special Size Standard – <b>Small Business</b> is less than \$40M in annual gross revenues for three preceding years
<b>Wireless and Commercial Mobile Services</b>	
Cellular Licensees	1,500 Employees or Fewer
220 MHz Radio Service – Phase I Licensees	
220 MHz Radio Service – Phase II Licensees	Auction special size standard - <b>Small Business</b> is average gross revenues of \$15M or less for the preceding three years (includes affiliates and controlling principals) <b>Very Small Business</b> is average gross revenues of \$3M or less for the preceding three years (includes affiliates and controlling principals)
700 MHZ Guard Band Licensees	
Private and Common Carrier Paging	
Broadband Personal Communications Services (Blocks A, B, D, and E)	1,500 Employees or Fewer
Broadband Personal Communications Services (Block C)	Auction special size standard - <b>Small Business</b> is \$40M or less in annual gross revenues for three previous calendar years <b>Very Small Business</b> is average gross revenues of \$15M or less for the preceding three calendar years (includes affiliates and persons or entities that hold interest in such entity and their affiliates)
Broadband Personal Communications Services (Block F)	
Narrowband Personal Communications Services	
Rural Radiotelephone Service	1,500 Employees or Fewer
Air-Ground Radiotelephone Service	
800 MHz Specialized Mobile Radio	Auction special size standard - <b>Small Business</b> is \$15M or less average annual gross revenues for three preceding calendar years
900 MHz Specialized Mobile Radio	
Private Land Mobile Radio	1,500 Employees or Fewer
Amateur Radio Service	N/A
Aviation and Marine Radio Service	1,500 Employees or Fewer
Fixed Microwave Services	
Public Safety Radio Services	<b>Small Business</b> is 1,500 employees or less <b>Small Government Entities</b> has population of less than 50,000 persons
Wireless Telephony and Paging and Messaging	1,500 Employees or Fewer
Personal Radio Services	N/A
Offshore Radiotelephone Service	1,500 Employees or Fewer
Wireless Communications Services	<b>Small Business</b> is \$40M or less average annual gross revenues for three preceding years <b>Very Small Business</b> is average gross revenues of \$15M or less for the preceding three years
39 GHz Service	

Multipoint Distribution Service	Auction special size standard (1996) – <b>Small Business</b> is \$40M or less average annual gross revenues for three preceding calendar years Prior to Auction – <b>Small Business</b> has annual revenue of \$12.5M or less
Multichannel Multipoint Distribution Service	\$12.5 Million in Annual Receipts or Less
Instructional Television Fixed Service	
Local Multipoint Distribution Service	Auction special size standard (1998) – <b>Small Business</b> is \$40M or less average annual gross revenues for three preceding years <b>Very Small Business</b> is average gross revenues of \$15M or less for the preceding three years
218-219 MHz Service	First Auction special size standard (1994) – <b>Small Business</b> is an entity that, together with its affiliates, has no more than a \$6M net worth and, after federal income taxes (excluding carryover losses) has no more than \$2M in annual profits each year for the previous two years New Standard – <b>Small Business</b> is average gross revenues of \$15M or less for the preceding three years (includes affiliates and persons or entities that hold interest in such entity and their affiliates) <b>Very Small Business</b> is average gross revenues of \$3M or less for the preceding three years (includes affiliates and persons or entities that hold interest in such entity and their affiliates)
Satellite Master Antenna Television Systems	\$12.5 Million in Annual Receipts or Less
24 GHz – Incumbent Licensees	
24 GHz – Future Licensees	1,500 Employees or Fewer
	<b>Small Business</b> is average gross revenues of \$15M or less for the preceding three years (includes affiliates and persons or entities that hold interest in such entity and their affiliates) <b>Very Small Business</b> is average gross revenues of \$3M or less for the preceding three years (includes affiliates and persons or entities that hold interest in such entity and their affiliates)
<b>Miscellaneous</b>	
On-Line Information Services	\$18 Million in Annual Receipts or Less
Radio and Television Broadcasting and Wireless Communications Equipment Manufacturers	750 Employees or Fewer
Audio and Video Equipment Manufacturers	
Telephone Apparatus Manufacturers (Except Cellular)	1,000 Employees or Fewer
Medical Implant Device Manufacturers	500 Employees or Fewer
Hospitals	\$29 Million in Annual Receipts or Less
Nursing Homes	\$11.5 Million in Annual Receipts or Less
Hotels and Motels	\$6 Million in Annual Receipts or Less
Tower Owners	(See Lessee's Type of Business)